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REMARKS

This communication is considered fully responsive to the Office action mailed January 3, 2005. Claims 1-26 were examined and stand rejected. Claims 1, 3, 10, 11 and 13-26 are amended. No claims are cancelled. Claims 27-29 are added. Reexamination and reconsideration are requested.

Claim Rejections – 35 USC §102

Claims 1-26 stand rejected under 35 USC §102(e) as being purportedly anticipated by Inoue. The Applicant respectfully traverses the rejections.

Independent claim 1 has been amended to clarify the presentation of the subject matter thereof, and the amendment does not narrow the claim. Independent claims 13 and 19 have been amended to clarify the subject matter claimed thereby.

In reference to all three independent claims here (namely, claims 1, 13 and 19), as well as all claims dependent therefrom; Inoue fails to provide any teaching regarding the use of a user specified control point (USCP), a threshold color value, or moving a maximum or minimum color value farther from the maximum or minimum color position or outside the range of maximum or minimum color values to form conceptual maximum or minimum color values as each of these is addressed by one or more of the independent claims 1, 13 and/or 19.

The text cited by the Office in support of the rejection certainly discusses image color corrections including the use of correction curves (Fig. 4). However, it appears that Inoue does not provide for a user specified control point (USCP) in modification of such curves. Rather, only a half tone point is used in the so-called Half Tone Correction of Inoue, and variations on the upper and lower limits of highlight and shadow are used in the so-called Highlight, Shadow Correction Curve of Inoue. Moreover, no threshold values or movement outside the range of maximum or minimum color values to create conceptual maximum or minimum values is taught or suggested by Inoue. Nor are there

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any determinations in Inoue about whether a USCP falls within a defined threshold, and finally nor does Inoue construct curves going through a USCP or a conceptual maximum or minimum value. Accordingly, Inoue fails to anticipate the inventions of any of claims 1, 13 and 19. Allowance of claims 1, 13 and 19 is therefore earnestly requested.

Dependent claims 2-12, 14-18 and 20-26 have all of the elements of the respective independent claims from which they depend and Inoue therefore fails to anticipate these claims for the same reasons presented for claims 1, 13 and 19 above.

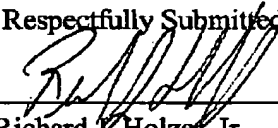
New claims

New claims 27-29 are patentable over Inoue for substantially the same reasons as stated for claims 1-26 above.

Conclusion

Based on the amendments and remarks herein, the Applicant respectfully requests prompt issuance of a notice of allowance for claims 1-26 in this matter.

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Respectfully Submitted,

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